A regular meeting of the Troy Traffic Committee was held Wednesday, September 17, 2014 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Ollie Apahidean
Tim Brandstetter
David Easterbrook
Ted Halsey
Al Petrulis
Pete Ziegenfelder

ABSENT: Richard Kilmer

Also present: Victor DeFlorio, 3609 Cedar Brook
Rashaana Bleumar, 36533 Ryan
Sgt. Mike Szuminski, Police Department
Bill Huotari, Deputy City Engineer/Traffic Engineer

2. Minutes – July 16, 2014

RESOLUTION # 2014-09-24

Moved by Kilmer
Seconded by Brandstetter

To approve the July 16, 2014 minutes as printed.

YES: All 6 (Apahidean, Brandstetter, Easterbrook, Halsey, Petrulis, Ziegenfelder)
NO: None
ABSENT: 1 (Kilmer)

MOTION CARRIED

PUBLIC HEARINGS

3. Request for Sidewalk Waiver – 3234 Louis – Sidwell #88-20-22-352-028

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 3234 Louis Street (Sidwell #88-20-22-352-028). Mr. DeFlorio states that there are no sidewalks on the street.

The two (2) waiver requests on Louis were addressed and discussed at the same time.

Mr. DeFlorio was in attendance at the meeting and stated that both homes on Louis are occupied. The homes were built at the same time. Closings occurred in May/June. Louis

is a street with no sidewalk. There are eight (8) homes on this section of Louis. There is no curb or gutter on the street. Existing grade of the land takes overland flow to the rear of the homes. Mr. DeFlorio said that approving the waiver would make these two lots consistent with the other homes on Louis.

Mr. Ziegenfelder stated that there is existing sidewalk at 3258 and 3270 Louis. Mr. DeFlorio explained that this was not required at the time that those homes were built but it was constructed as part of the construction of the homes. Mr. Ziegenfelder stated that he is in favor or sidewalks at all locations.

Mr. Halsey asked how far back the homes were from the road. Mr. DeFlorio responded that the distance is 25.5 feet from the property line to the front of the house. Mr. DeFlorio further stated that the property owners purchased these homes with the idea that sidewalk would not be installed.

Mr. Easterbrook asked about drainage in the front yard. Mr. DeFlorio explained that the storm sewers in the front yard were existing and built prior to the home construction.

Mr. Apahidean asked for clarification on how the natural flow or what was the lay of the land prior to construction. Mr. DeFlorio stated that this area did have some floodplain and there was compensated cut/fill done.

Mr. Petrulis was concerned about drainage issues. The sidewalk would ruin aesthetics in the area.

Mr. Apahidean agreed that property value would increase with sidewalk but was concerned that we are forcing sidewalk on the property owners.

RESOLUTION # 2014-09-25

Moved by Petrulis
Seconded by Kilmer

WHEREAS, City of Troy Ordinances, Chapter 34, allows the Traffic Committee to grant waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Victor DeFlorio has requested a waiver of the requirement to construct sidewalk based on no other existing sidewalk on Louis Street; and

WHEREAS, the Traffic Committee has determined the following:

a. A waiver will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and

b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and

c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee grants a waiver of the sidewalk requirement for 3234 Louis – Sidwell #88-20-22-352-028.

YES: 3 (Apahidean, Halsey, Petrulis)
NO: 2 (Easterbrook, Ziegenfelder)
ABSENT: 1 (Kilmer)
ABSTAIN: 1 (Brandstetter) – Mr. Brandstetter had to leave the room

MOTION CARRIED

4. Request for Sidewalk Waiver – 3246 Louis – Sidwell #88-20-22-352-027

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 3246 Louis Street (Sidwell #88-20-22-352-027). Mr. DeFlorio states that there are no sidewalks on the street.

The two (2) waiver requests on Louis were addressed and discussed at the same time.

Mr. DeFlorio was in attendance at the meeting and stated that both homes on Louis are occupied. The homes were built at the same time. Closings occurred in May/June. Louis is a street with no sidewalk. There are eight (8) homes on this section of Louis. There is no curb or gutter on the street. Existing grade of the land takes overland flow to the rear of the homes. Mr. DeFlorio said that approving the waiver would make these two lots consistent with the other homes on Louis.

Mr. Ziegenfelder stated that there is existing sidewalk at 3258 and 3270 Louis. Mr. DeFlorio explained that this was not required at the time that those homes were built but it was constructed as part of the construction of the homes. Mr. Ziegenfelder stated that he is in favor or sidewalks at all locations.

Mr. Halsey asked how far back the homes were from the road. Mr. DeFlorio responded that the distance is 25.5 feet from the property line to the front of the house. Mr. DeFlorio further stated that the property owners purchased these homes with the idea that sidewalk would not be installed.

Mr. Easterbrook asked about drainage in the front yard. Mr. DeFlorio explained that the storm sewers in the front yard were existing and built prior to the home construction.

Mr. Apahidean asked for clarification on how the natural flow or what was the lay of the land prior to construction. Mr. DeFlorio stated that this area did have some floodplain and there was compensated cut/fill done.

Mr. Petrulis was concerned about drainage issues. The sidewalk would ruin aesthetics in the area.

Mr. Apahidean agreed that property value would increase with sidewalk but was concerned that we are forcing sidewalk on the property owners.

RESOLUTION # 2014-09-26

Moved by Petrulis
Seconded by Kilmer

WHEREAS, City of Troy Ordinances, Chapter 34, allows the Traffic Committee to grant waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Victor DeFlorio has requested a waiver of the requirement to construct sidewalk based on no other existing sidewalk on Louis Street; and

WHEREAS, the Traffic Committee has determined the following:

a. A waiver will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and

b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and

c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee grants a waiver of the sidewalk requirement for 3246 Louis – Sidwell #88-20-22-352-027.

YES: 3 (Apahidean, Halsey, Petrulis)
NO: 2 (Easterbrook, Ziegenfelder)
ABSENT: 1 (Kilmer)
ABSTAIN: 1 (Brandstetter) – Mr. Brandstetter had to leave the room

MOTION CARRIED

5. Request for Sidewalk Waiver – 5961 Niles – Sidwell #88-20-09-227-018

The three (3) waiver requests on Niles were addressed and discussed at the same time.

Mr. Brandstetter had to leave the meeting unexpectedly and did not participate in the discussion or action on this item.

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 5961 Niles Street (Sidwell #88-20-09-227-018). Mr. DeFlorio states that there are no sidewalks on the street.

Mr. DeFlorio was in attendance at the meeting and stated that he is the builder of record of the three (3) homes on Niles. There are a lot of duplexes on the street while these homes are single family residential. The homes were marketed and sold with no sidewalk included as part of the construction. The lots have conventional drainage from front to back. If sidewalk were to be installed grading of the site would have to be modified. The existing road is an asphalt pavement with no curb and gutter.

Mr. Halsey stated that the sidewalk would connect to something and lead to somewhere as the northerly lot is directly adjacent to the existing sidewalk along the south side of Square Lake Road.

Mr. Ziegenfelder reiterated that he supports the installation of sidewalks at all locations.

Mr. Apahidean asked if this sidewalk would be the only sidewalk on Niles. Mr. DeFlorio responded in the affirmative.

Mr. Petrulis thinks that sidewalk at these three lots would look odd since there is no other sidewalk on the street.

Mr. Apaidean asked about the history of sidewalk waivers. A discussion ensued about sidewalk waiver requests on Major and Local roads.

Mr. Halsey stated that there has been a history of requiring sidewalk when the lot is adjacent to a major road.

Mr. DeFlorio discussed his development at Rhode Island Estates (off of Big Beaver).

Mr. Apaidean asked whether the houses have been closed. Mr. DeFlorio stated that two (2) lots have been closed on and one is waiting to close.

Traffic Engineering received one (1) email in favor of granting the waiver as the property owner did not support sidewalks on Niles.

RESOLUTION # 2014-09-27

Moved by Halsey
Seconded by Easterbrook

WHEREAS, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee denies a waiver of the

sidewalk requirement for 5961 Niles Street (Sidwell #88-20-09-227-018).

YES: 3 (Apahidean, Easterbrook, Ziegenfelder)
NO: 2 (Halsey, Petrulis)
ABSENT: 2 (Brandstetter, Kilmer)

MOTION CARRIED

6. Request for Sidewalk Waiver – 5977 Niles – Sidwell #88-20-09-227-017

The three (3) waiver requests on Niles were addressed and discussed at the same time.

Mr. Brandstetter had to leave the meeting unexpectedly and did not participate in the discussion or action on this item.

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 5977 Niles Street (Sidwell #88-20-09-227-017). Mr. DeFlorio states that there are no sidewalks on the street.

Mr. DeFlorio was in attendance at the meeting and stated that he is the builder of record of the three (3) homes on Niles. There are a lot of duplexes on the street while these homes are single family residential. The homes were marketed and sold with no sidewalk included as part of the construction. The lots have conventional drainage from front to back. If sidewalk were to be installed grading of the site would have to be modified. The existing road is an asphalt pavement with no curb and gutter.

Mr. Halsey stated that the sidewalk would connect to something and lead to somewhere as the northerly lot is directly adjacent to the existing sidewalk along the south side of Square Lake Road.

Mr. Ziegenfelder reiterated that he supports the installation of sidewalks at all locations.

Mr. Apahidean asked if this sidewalk would be the only sidewalk on Niles. Mr. DeFlorio responded in the affirmative.

Mr. Petrulis thinks that sidewalk at these three lots would look odd since there is no other sidewalk on the street.

Mr. Apaidean asked about the history of sidewalk waivers. A discussion ensued about sidewalk waiver requests on Major and Local roads.

Mr. Halsey stated that there has been a history of requiring sidewalk when the lot is adjacent to a major road.

Mr. DeFlorio discussed his development at Rhode Island Estates (off of Big Beaver).
Mr. Apaidean asked whether the houses have been closed. Mr. DeFlorio stated that two (2) lots have been closed on and one is waiting to close.

Traffic Engineering received one (1) email in favor of granting the waiver as the property owner did not support sidewalks on Niles.

RESOLUTION # 2014-09-28

Moved by Halsey
Seconded by Easterbrook

WHEREAS, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee denies a waiver of the sidewalk requirement for 5977 Niles (Sidwell #88-20-09-227-017).

YES: 3 (Apahidean, Easterbrook, Ziegenfelder)
NO: 2 (Halsey, Petrulis)
ABSENT: 2 (Brandstetter, Kilmer)

MOTION CARRIED

7. Request for Sidewalk Waiver – 5993 Niles – Sidwell #88-20-09-227-016

The three (3) waiver requests on Niles were addressed and discussed at the same time.

Mr. Brandstetter had to leave the meeting unexpectedly and did not participate in the discussion or action on this item.

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 5993 Niles Street (Sidwell #88-20-09-227-016). Mr. DeFlorio states that there are no sidewalks on the street.

Mr. DeFlorio was in attendance at the meeting and stated that he is the builder of record of the three (3) homes on Niles. There are a lot of duplexes on the street while these homes are single family residential. The homes were marketed and sold with no sidewalk included as part of the construction. The lots have conventional drainage from front to back. If sidewalk were to be installed grading of the site would have to be modified. The existing road is an asphalt pavement with no curb and gutter.

Mr. Halsey stated that the sidewalk would connect to something and lead to somewhere as the northerly lot is directly adjacent to the existing sidewalk along the south side of Square Lake Road.

Mr. Ziegenfelder reiterated that he supports the installation of sidewalks at all locations.

Mr. Apahidean asked if this sidewalk would be the only sidewalk on Niles. Mr. DeFlorio responded in the affirmative.

Mr. Petrulis thinks that sidewalk at these three lots would look odd since there is no other sidewalk on the street.

Mr. Apaidean asked about the history of sidewalk waivers. A discussion ensued about sidewalk waiver requests on Major and Local roads.

Mr. Halsey stated that there has been a history of requiring sidewalk when the lot is adjacent to a major road.

Mr. DeFlorio discussed his development at Rhode Island Estates (off of Big Beaver).
Mr. Apaidean asked whether the houses have been closed. Mr. DeFlorio stated that two (2) lots have been closed on and one is waiting to close.

Traffic Engineering received one (1) email in favor of granting the waiver as the property owner did not support sidewalks on Niles.

RESOLUTION # 2014-09-29

Moved by Halsey
Seconded by Easterbrook

WHEREAS, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee denies a waiver of the sidewalk requirement for 5993 Niles Street (Sidwell #88-20-09-227-016).

YES: 3 (Apahidean, Easterbrook, Ziegenfelder)
NO: 2 (Halsey, Petrulis)
ABSENT: 2 (Brandstetter, Kilmer)

MOTION CARRIED

REGULAR BUSINESS

8. Public Comment

No members of the public provided comment.

9. Other Business

No other business was brought forward by the Committee.

Move Across Troy was discussed and Traffic Committee members were invited to attend the public meeting on October 1.

10. Adjourn

The meeting adjourned at 8:30 p.m.

Pete Ziegenfelder, Chairperson

Bill Huotari, Deputy City Engineer/Traffic Engineer

G:\Traffic\aa Traffic Committee\2014\9_September 17\Minutes_20140917_FINAL.docx